



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Michael J. Briskin, Douglas J. Ringler, Dominic Picarella  
and Walter Newman

Application No.:

08/875,849

Group:

1644

Filed:

September 8, 1997

Examiner:

R. Schwadron

For:

MUCOSAL VASCULAR ADDRESSINS AND USES THEREOF

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>1-25-02</u>	<u>Danielle D. Gath</u>
Date	Signature
<u>Danielle D. Gath</u>	
Typed or printed name of person signing certificate	

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TRANSMITTAL OF COPY OF DECLARATION UNDER 37 C.F.R. § 1.132  
FROM PARENT APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Filed herewith is a complete copy of the Transmittal of Executed Declaration under 37 C.F.R. § 1.132 (sheets 1 and 2) and Declaration under 37 C.F.R. § 1.132 executed by Michael J. Briskin, Ph.D. (sheets 1 - 8) that was filed in the parent application (Application No. 08/523,004). An incomplete copy of the executed Declaration was previously provided with the copy of Transmittal of Executed Declaration under 37 C.F.R. § 1.132 that was filed via facsimile on November 19, 2001 with, *inter alia*, a Continued Prosecution Application Request Transmittal and Preliminary Amendment.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood

Robert H. Underwood  
Registration No.: 45,170  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: January 25, 2002

# COPY



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/523,004

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DATE MAILED:

### NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA) Filing Date Granted

The Continued Prosecution Application (CPA) request filed on 11/17/01 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.

☒ 1. The statutory basic filing fee is:

- ☐ missing
- ☐ insufficient.

(a) Applicant must submit \$ 746.00 to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ 130.00 to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is **not** required (37 CFR 1.28)).

(b) Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

☐ 2. Additional claim fees of

\$ 672.00 (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ independent claims over 3.  
\$ 1704.00 (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ claims over 20.  
\$        (non-small entity) or \$ \_\_\_\_\_ (small entity) for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.

☐ 5. Other \_\_\_\_\_

A copy of this Notice **MUST** be returned with the reply.

Direct the reply and any questions about this Notice to:

Eaon Smallwood  
Technology Center 1600  
(703) 306-4085

62

KEACOLLINS\LKS9404\VT. JSM.001  
DEB:HEW:AJC:kfd  
October 22, 1998

PATENT APPLICATION  
Attorney's Docket No.: LKS94-04A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael J. Briskin, Douglas J. Ringler, Dominic Picarella and Walter  
Newman

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Application No.: 08/523,004

Group: 1644

MAR 04 2002

Filed: September 1, 1995

Examiner: R. Schwadron

TELEPHONE CENTER 1600/2900

For:

NOVEL MUCOSAL VASCULAR ADDRESSINS

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Date	Signature
on 10-22-98	Karen DiRocco
Typed or printed name of person signing certificate	

TRANSMITTAL OF EXECUTED DECLARATION UNDER 37 C.F.R. §1.132

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an executed Declaration under 37 C.F.R. §1.132. An unexecuted Declaration under 37 C.F.R. §1.132 and an Amendment A were mailed to the U.S. Patent and Trademark Office on September 30, 1998 for filing in the referenced application. As indicated in Amendment A, the executed Declaration would be filed in the referenced application upon receipt.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Michael J. Briskin, Douglas J. Ringler, Dominic Picarella  
and Walter Newman

Application No.:

08 875,849

Group:

1644

Filed:

September 8, 1997

Examiner:

R. Schwadron

For:

MUCOSAL VASCULAR ADDRESSINS AND USES THEREOF

CERTIFICATE OF MAILING	
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on <u>1-25-02</u>	<u>Danielle D. Gath</u>
Date	Signature
<u>Danielle D. Gath</u>	
Typed or printed name of person signing certificate	

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REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box MISSING PARTS

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated November 28, 2001, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☐ **EXECUTED DECLARATION FOR PATENT APPLICATION***(Separate transmittal letter and postcard not required)*☐ **POWER OF ATTORNEY DOCUMENT**☐ **GRANTED BY INVENTOR(S)**☐ **GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)***(Separate transmittal letter and postcard not required)*☐ **PRELIMINARY AMENDMENT***(Separate transmittal letter and postcard not required)*

☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate

Fee calculations based on:

☐ Claims as originally filed

☒ Claims upon entry of the Preliminary Amendment filed with the application

*(Separate transmittal letter and postcard not required)*

☒ **SURCHARGE** - surcharge fee of \$130.00

*(Separate transmittal letter and postcard not required)*

☐ **SEQUENCE LISTING** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

☐ **TRANSMITTAL OF SUBSTITUTE DRAWINGS**

☐ Sheets of substitute drawings consisting of Figs. 1 - [ ] are enclosed

*(Separate transmittal letter and postcard not required)*

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [ ] for [ ] month(s) from [ ] to [ ]

The appropriate fee of \$[ ] is included in the enclosed check

☐ A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee

☐ Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check

*(Separate Petition for Extension of Time and postcard not required)*

☒ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on [ ]

☐ Is enclosed herewith

*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$2,316.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood

Robert H. Underwood

Registration No.: 45,170

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: January 25, 2002

0397  
FEB 19 2002  
PATENT

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

## FEE TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number 1855.1004-002 (LKS94-04A2)  
Application Number 08/875,849  
First Named Inventor Michael J. Briskin

CLAIM CALCULATION (includes any preliminary amendment)

MAR 04 2002

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c)(1))		63 - 20* =	43	x \$ 18 =	\$ 774
INDEPENDENT CLAIMS (37 CFR 1.16(c)(2))		11 - 3** =	8	x \$ 84 =	\$ 672
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
				Total of above Calculations =	\$ 2186
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$
				TOTAL =	\$ 2186
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 130
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$
				Assignment Recordation Fee = (only when filed with application)	\$
				TOTAL =	\$ 2316

\* Reissue claims in excess of 20 and over original patent

\*\* Reissue independent claims over original patent

\* Reissue claims in excess of 20 and over original patent  
\*\* Reissue independent claims over original patent

### 1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$2316.00. ☐ Please charge \$[ ] to Deposit Account No. 08-0380.

4. ☒ Other: Transmittal of Copy of Declaration Under 37 C.F.R. § 1.132 From Parent Application with copy of Transmittal of Executed Declaration Under 37 C.F.R. § 1.132 and copy of executed Declaration Under 37 C.F.R. § 1.132 from parent application and Change of Correspondence Address

Signature

*Robert H. Underwood*

Date

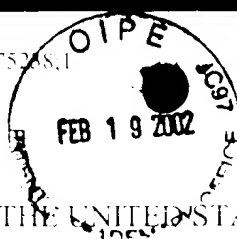
*January 25, 2002*

Submitted by  
Typed or Printed Name

Robert H. Underwood

Reg. Number

45.170



ORIGINAL FILED

11644 PATENT APPLICATION  
ocket No. 1855 1004-002 (EKS94-04A2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: Michael J. Briskin, Douglas J. Ringler, Dominic Picarella  
and Walter Newman

Application No.: 08 875,849 Group: 1644

Filed: September 8, 1997 Examiner: R. Schwadron

For: MUCOSAL VASCULAR ADDRESSINS AND USES THEREOF

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on 1-25-02	<i>Daniel D. Gath</i>
Date	Signature
<i>Daniel D. Gath</i>	
Typed or printed name of person signing certificate	

REQUEST FOR CORRECTED FILING RECEIPT  
FOR UTILITY APPLICATION

Office of Initial Patent Examination  
Customer Service Center  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We hereby request that the following items of information be corrected in the Filing Receipt for the subject application received in this office on December 3, 2001.

An error/inconsistency in priority data regarding continuing Application No. 08/875,849, filed September 8, 1997, has been noted in the filing receipt for said application.



The errors and corrections appear below.

**In the Priority Data, delete "This Application is a 371 of  
PCT/US96/02153 02/12/96; and a CON of 08/386,857  
02/10/1995; and a CON of 08/523,004 09/01/1995"**

**and insert ---This Application is a 371 of PCT/US96/02153  
02/12/96; and a CIP of 08/523,004 09/01/1995---**

Enclosed is a copy of the Filing Receipt with changes noted in red, and a copy of pages 1-2 of the Amendment, filed November 19, 2001, which direct amendment of the Related Applications paragraph on page 1 of the specification.

Pursuant to instructions in the February 29, 2000 O.G., we hereby request that the errors which are identified above be corrected in the captioned application to which this request for correction is directed. It is understood that the Patent Office will issue an automatically-generated, corrected Filing Receipt in this and, if applicable, any other affected applications.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood

Robert H. Underwood

Registration No.: 45,170

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: *January 25, 2002*



## UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20235  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
08/875,849	09/08/1997	1644	2095	LKS94-04A2	20	29	9

CONFIRMATION NO. 4411

CORRECTED FILING RECEIPT



\*0000000007127987\*

 DAVID E BROOK  
 HAMILTON BROOK SMITH & REYNOLDS  
 TWO MILITIA DRIVE  
 LEXINGTON, MA 02173

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Date Mailed: 11/28/2001

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

 MICHAEL J. BRISKIN, LEXINGTON, MA;  
 DOUGLAS J. RINGLER, REVERE, MA;  
 DOMINIC PICARELLA, SUDBURY, MA;  
 WALTER NEWMAN, BOSTON, MA;

## Domestic Priority data as claimed by applicant

~~THIS APPLICATION IS A 371 OF PCT/US96/02153 02/12/1996~~  
~~AND A CON OF 08/386,857 02/10/1995~~  
~~AND A CON OF 08/523,004 09/01/1995~~

This application is a 371 of PCT/US96/02153  
 02/12/96; and a CIP of 08/523,004 09/01/1995

## Foreign Applications

If Required, Foreign Filing License Granted 11/27/2001

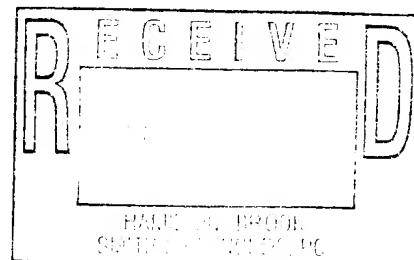
CPA filed on: 11/19/2001

Projected Publication Date: 03/07/2002

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*



Title

FEB 19 2002

MUCOSAL VASCULAR ADDRESSINS AND USES THEREOF

Preliminary Class

424

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184 if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).